

# **EXHIBIT 3**

## Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet

County

For Prothonotary Use Only:

Docket No:

2023-CV-07724

2023 OCT -6 AM 9:35  
DAU  
PENN  
OFFICE OF  
PROTHONOTARY

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

## Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition  
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

SM Jewelry, LLC

Lead Defendant's Name:

Hartford Underwriters Insurance Company

Are money damages requested? ☒ Yes ☐ NoDollar Amount Requested: ☐ within arbitration limits  
(check one) ☒ outside arbitration limitsIs this a Class Action Suit? ☐ Yes ☒ NoIs this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Thomas E. Brenner, Esq. (32085)

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

**Nature of the Case:** Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT** (do not include Mass Tort)

- ☐ Intentional  
☐ Malicious Prosecution  
☐ Motor Vehicle  
☐ Nuisance  
☐ Premises Liability  
☐ Product Liability (does not include mass tort)  
☐ Slander/Libel/ Defamation  
☒ Other: negligence

**CONTRACT** (do not include Judgments)

- ☐ Buyer Plaintiff  
☐ Debt Collection: Credit Card  
☐ Debt Collection: Other  
☐ Employment Dispute: Discrimination  
☐ Employment Dispute: Other  
☐ Other:

**CIVIL APPEALS**

- Administrative Agencies  
☐ Board of Assessment  
☐ Board of Elections  
☐ Dept. of Transportation  
☐ Statutory Appeal: Other  
☐ Zoning Board  
☐ Other:

**MASS TORT**

- ☐ Asbestos  
☐ Tobacco  
☐ Toxic Tort - DES  
☐ Toxic Tort - Implant  
☐ Toxic Waste  
☐ Other:

**REAL PROPERTY**

- ☐ Ejectment  
☐ Eminent Domain/Condemnation  
☐ Ground Rent  
☐ Landlord/Tenant Dispute  
☐ Mortgage Foreclosure: Residential  
☐ Mortgage Foreclosure: Commercial  
☐ Partition  
☐ Quiet Title  
☐ Other:

**MISCELLANEOUS**

- ☐ Common Law/Statutory Arbitration  
☐ Declaratory Judgment  
☐ Mandamus  
☐ Non-Domestic Relations Restraining Order  
☐ Quo Warranto  
☐ Replevin  
☐ Other:

**PROFESSIONAL LIABILITY**

- ☐ Dental  
☐ Legal  
☐ Medical  
☐ Other Professional:

RECEIVED  
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PENNSYLVANIA  
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IN THE COURT OF COMMON PLEAS OF  
DAUPHIN COUNTY, PENNSYLVANIA

SM Jewelry, LLC

Plaintiff

v.

Case No.: 2023-CV-07724

Hartford Underwriters Insurance Company,  
Defendant

Civil Action - Law

**NOTICE**

**YOU HAVE BEEN SUED IN COURT.** If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

IN THE COURT OF COMMON PLEAS OF  
DAUPHIN COUNTY

SM Jewelry, LLC

Plaintiff

v.

Hartford Underwriters Insurance Company,

Defendant

Case No.: 2023-CV-07724

Civil Action Law

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PENNA

NOTICIA

Le has demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de las fecha de la demanda y la notificacion. Usted debe presentar una apariciencia escrita o en persona o por abogado y archivar en la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea adisado que si usted no se defiende, la sin previo aviso o notificacion y por cualquier quja o puede perder dinero o sus propiendades o otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUGICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OPICINA CUYA DIRECCI9ON SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEQUIR ASISTENCIA LEGAL.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE

213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

Thomas E. Brenner, Esquire (32085)  
 CALDWELL & KEARNS, P.C.  
 3631 N. Front Street  
 Harrisburg, PA 17110  
[tbrenner@cklegal.net](mailto:tbrenner@cklegal.net)  
 (717) 934-4089  
 Attorney for Plaintiff

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 10/1 OCT - 6 AM 9:36  
 DAUPHIN COUNTY  
 PENNA

SM Jewelry, LLC : IN THE COURT OF COMMON PLEAS  
 Plaintiff : DAUPHIN COUNTY, PENNSYLVANIA

v.

Case No.: 2023-CV-07724

Hartford Underwriters Insurance Company, : Civil Action – Law  
 Defendant :

### COMPLAINT

AND NOW, comes Plaintiff, SM Jewelry, LLC (“SM Jewelry”), by and through its attorneys, Caldwell & Kearns, P.C., who states:

1. Plaintiff, SM Jewelry, LLC is a business entity with a mailing address of 1411 Alexandria Lane, Harrisburg, Dauphin County, Pennsylvania. SM Jewelry is owned and operated by Kambundi Pombo and Safouna Mori.

2. Defendant Hartford Underwriters Insurance Company (“Hartford”) is a business entity engaged in the sale and provision of commercial insurance doing business in the Commonwealth of Pennsylvania with an address of One Hartford Plaza, Hartford, CT 06155.

3. Plaintiff SM Jewelry operated a jewelry store at the Harrisburg East Mall known as SM Jewelry.

4. As the business was planning to open in April of 2022, one of the owners of SM Jewelry, LLC, Kambundi Pombo, acquired business insurance for the jewelry store with Defendant Hartford through the Nutmeg Insurance Agency, Inc.

5. On December 23, 2022, a theft loss occurred at the SM Jewelry store in the Harrisburg East Mall resulting in \$838,144.43 of jewelry inventory being stolen.

6. Hartford has taken the position that the policy provided to SM Jewelry, LLC did not fully insure items with a value in excess of \$500.00.

~~7. Hartford has confirmed that for inventory with a cost of less than \$500.00, they are~~  
fully insured.

8. SM Jewelry provided an inventory of those items with a cost less than \$500.00 which amounted to \$287,213.77.

9. Hartford has failed to pay the full value of the loss of items with a cost of less than \$500.00.

10. Hartford has failed and refused to pay \$46,328.50 of this claim without basis or justification.

WHEREFORE, Plaintiff SM Jewelry, LLC demands judgment against Defendant Hartford Underwriters Insurance Company in the amount of \$46,328.50, together with costs of suit.

CALDWELL & KEARNS, P.C.

By:



Thomas E. Brenner, Esquire (No.: 32085)  
3631 N. Front Street  
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[tbrenner@cklegal.net](mailto:tbrenner@cklegal.net)  
(717) 934-4089  
(717) 232-2766 (facsimile)  
*Attorney for Plaintiff*

Date: October 3, 2023

VERIFICATION

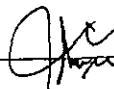
I, Kumbundi Pembe, an owner of SM Jewelry, LLC, hereby acknowledge that I have read the foregoing document, and that the facts stated therein are true and correct to the best of my knowledge, information and belief.

I understand that any false statements herein are made subject to penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

SM Jewelry, LLC

Date: 09/22/2023

By: \_\_\_\_\_

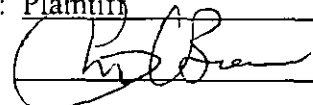


**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Plaintiff

Signature:

A handwritten signature in black ink, appearing to read 'T. Brenner', is written over a horizontal line.

Name: Thomas E. Brenner, Esquire

Attorney No. (if applicable): 32085